

APPLICATION FOR PERMIT TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

Date of filing in State Engineer's Office SEP 14 1995

Returned to applicant for correction.....

Corrected application filed.....

Map filed SEP 14 1995

The applicant Perry Wallace Properties

575 W. Williams Avenue, of Fallon,
Street and No. or P.O. Box No. City or Town

NV 89406, hereby make... application for permission to appropriate the public
State and Zip Code No.

waters of the State of Nevada, as hereinafter stated. (If applicant is a corporation, give date and place of incorporation; if a copartnership or association, give names of members.).....

1. The source of the proposed appropriation is underground source
Name of stream, lake, spring, underground or other source

2. The amount of water applied for is 1.0 cfs second-feet
One second-foot equals 448.83 gals. per min.

(a) If stored in reservoir give number of acre-feet.....

3. The water to be used for Quasi-municipal and domestic use
Irrigation, power, mining, manufacturing, domestic, or other use. Must limit to one use.

4. If use is for:

(a) Irrigation, state number of acres to be irrigated N/A

(b) Stockwater, state number and kinds of animals to be watered N/A

(c) Other use (describe fully under No. 12. "Remarks") N/A

(d) Power:

(1) Horsepower developed N/A

(2) Point of return of water to stream.....

5. The water is to be diverted from its source at the following point The NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 27, T19N, R28E,
Describe as being within a 40-acre subdivision of public
M.D.B.&M. from a point that bears N73° 30' 54" E, a distance of 1458.08 feet
survey, and by course and distance to a section corner. If on unsurveyed land, it should be so stated.
to the East $\frac{1}{4}$ corner of said Sec. 27.

6. Place of use Portions of SE $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 27,
Describe by legal subdivision. If on unsurveyed land, it should be so stated.
T19N, R28E, M.D.B.&M.

7. Use will begin about Jan. 1st and end about Dec. 31st, of each year.
Month and Day Month and Day

8. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) Storage and pipe
State manner in which water is to be diverted, i.e. diversion structure, ditches and

flumes, drilled well with pump and motor, etc.

9. Estimated cost of works.....\$40,000.00 for complete system.....
 10. Estimated time required to construct works.....1 year.....
 If well completed, describe works.

11. Estimated time required to complete the application of water to beneficial use.....3 years.....

12. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use:

.....This application is for a backup well for existing well permit No. 34677 as required
by the State Health Dept. There will be no additional water diverted from this backup
well. And the combined annual diversion from this well and the well under permit No.
44408 will not exceed 36.4 MGA as permitted under permit No. 44408.

By.....s/Barry A. Fitzpatrick
 Barry A. Fitzpatrick S.W.R.S. #817
 137 Keddie Street
 Fallon NV 89406
 Compared.....cl/jk.....cl/jr

Protested.....

APPROVAL
 OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit is issued subject to existing rights. It is understood that the amount of water herein granted is only a temporary allowance and that the final water right obtained under this permit will be dependent upon the amount of water actually placed to beneficial use. It is also understood that this right must allow for a reasonable lowering of the static water level. This well shall be equipped with a two (2) inch opening for measuring depth to water. If the well is flowing, a valve must be installed and maintained to prevent waste. A totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of water begins, or before the Proof of Completion of Work is filed. This source is located within an area designated by the State Engineer, pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.
 (CONTINUED ON PAGE 2)

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed.....1.0.....cubic feet per second....., but not to exceed 36.4
million gallons annually.

Work must be prosecuted with reasonable diligence and be completed on or before.....September 2, 1997.....

Proof of completion of work shall be filed before.....October 2, 1997.....

Application of water to beneficial use shall be filed on or before.....September 2, 1998.....

Proof of the application of water to beneficial use shall be filed on or before.....October 2, 1998.....

Map in support of proof of beneficial use shall be filed on or before.....N/A.....

Completion of work filed.....

Proof of beneficial use filed.....

Cultural map filed.....

Certificate No. Issued.....

IN TESTIMONY WHEREOF, I, R. MICHAEL TURNIPSEED, P.E.
 State Engineer of Nevada, have hereunto set my hand and the seal of my

office, this 10th day of April,

A.D. 96

R. Michael Turnipseed P.E.
 State Engineer

(PERMIT TERMS CONTINUED)

The total combined duty of water under Permits 44408 and 61544 shall not exceed 36.4 million gallons annually.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

This permit is issued under the provisions of NRS 534.120(2) as a preferred use.

Any well drilled under this permit shall be drilled in what has been described in the United States Geological Survey Water Supply Paper 2263 as the intermediate alluvial aquifer. In no instance shall the seal on this well be less than 100 feet below ground level.